

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., February 11, 1992.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a called Council meeting held on January 11, 1992, and a regular Council meeting held on January 14, 1992, were approved as mailed.

A discussion ensued regarding letters sent to parents of children who reside in Bedford County by the Bedford County Recreation Commission requiring county children to play sports in the county program. Fran Hart, Director of Parks, Recreation and Cemeteries, stated that the City has not changed its policy of accepting county children into city sports.

A brief discussion ensued regarding the rate increase for cable television and future franchise negotiating. The City Manager stated that he will make a report as soon as possible.

There was a brief discussion concerning the asphalt overlay program.

Vice Mayor Owen reported that Student Government Day will be held on May 13 and asked members of Council for suggested topics to be considered by the students.

Mayor Shelton stated that a meeting is scheduled for February 13 at 10:30 a.m. with the Secretary of Transportation, the Deputy Secretary, and the Commissioner of the Department of Transportation regarding the 122 North/South Connector project.

Mayor Shelton reviewed with Council a variety of bills before the General Assembly that will have an impact on the City.

The Mayor stated that the 122 North/South Connector project has been included in a proposed \$1.2 billion dollar bond issue (House Bill 1093, Economic Recovery Act of 1992) sponsored by Delegate Cranwell, that would be repaid from the proceeds of a half cent increase on the sales tax. Mayor Shelton stated Council's support of this bill.

The Consent Agenda consisted of the following item: Appointment of Councilman Payton Otey to serve on the Bedford County Advisory Committee for Extension Services for a one-year term expiring December 31, 1992.

Councilwoman Grahame moved that the consent agenda be approved. The motion was seconded by Councilman Rice, voted upon and carried unanimously.

Council proceeded to hold a joint meeting with the City School Board.

City School Board Chairman Janice Martinez stated that the Board is requesting a new gymnasium for the middle school.

Discussion ensued regarding various items, including: the duties and responsibilities of the Board, educational goals of the Board for the future, the role of the Board as a policy board not an advisory board.

Mayor Shelton reviewed with the Board the following items that he personally considered roles of the School Board: 1. The Board has a major function in monitoring the educational programs of the County school system to see if the programs are meeting the needs of the City students. 2. The Board needs to develop and promote a mission of what the education of City students should be. 3. The Board needs to track the progress of the City students through the system.

Further discussion ensued.

The City Manager stated that Council has received a report explaining a new Virginia Tourism Accreditation Program and its possible economic implications for the City of Bedford and the entire Bedford Area. He said that the same report was presented to the Bedford County Board of Supervisors with equal funding being requested from both governing bodies to begin the Tourism Accreditation Program.

Discussion ensued regarding the funding formula being fifty-fifty, as the County would have more to gain from this program.

Councilman Vest moved that Council transfer \$4,000 from the unappropriated contingency to Account No. 0808108105055041 to be used for the purpose of entering the Joint Tourism Accreditation Program. The motion was seconded by Councilwoman Grahame voted upon and carried by the following roll call vote:

Councilman Brookshier	nay
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	nay
Councilman Rice	aye
Councilman Vest	aye
Mayor Shelton	aye

On motion by Councilwoman Grahame, seconded by Councilman Rice, voted upon and carried unanimously, Council waived the reading of the proposed resolution authorizing issuance of City of Roanoke Industrial Development Authority Hospital revenue bonds.

The City Manager stated that at the December 10, 1991, meeting, City Council adopted a resolution which authorized the Industrial Development Authority of the City of Roanoke to hold a public hearing in connection with the issuance of up to \$60,000,000 of hospital revenue bonds for the benefit of Roanoke Memorial Hospitals, Community Hospital of Roanoke Valley, Giles Memorial Hospital, Inc., Bedford County Memorial Hospital, Inc., and Radford Community Hospital, Inc. Mr. Gross stated that a portion of the funds will be allocated to Bedford County Memorial Hospital for purposes of capital acquisitions, renovation of portions of the hospital facilities, and refunding existing debt.

The City Manager indicated that the City of Roanoke Industrial Development Authority held its public hearing on January 29, 1992, and no comments from the general public were received by the Authority at that public hearing. At a special meeting held that same date, the Authority adopted a resolution authorizing the issuance of these hospital revenue bonds.

Councilwoman Grahame moved that Council adopt the resolution authorizing the issuance of City of Roanoke Industrial Development Authority Hospital revenue bonds to benefit Bedford County Memorial Hospital. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The resolution follows as adopted:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEDFORD
VIRGINIA AUTHORIZING, AMONG OTHER THINGS, THE
ISSUANCE OF NOT TO EXCEED \$60,000,000 AGGREGATE
PRINCIPAL AMOUNT OF THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA HOSPITAL
REVENUE BONDS (ROANOKE MEMORIAL HOSPITALS, COMMUNITY

HOSPITAL OF ROANOKE VALLEY, BEDFORD COUNTY MEMORIAL

HOSPITAL, GILES MEMORIAL HOSPITAL AND RADFORD MEMORIAL

HOSPITAL PROJECT) SERIES 1992

WHEREAS, the City of Bedford, Virginia (the "City") is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, the Industrial Development Authority of the City of Roanoke, Virginia (the "Roanoke Authority") is a political subdivision of the Commonwealth of Virginia duly created pursuant to the Industrial Development and Revenue Bond Act, Chapter 33, Title 15.1, Code of Virginia of 1950, as amended (the "Act") and authorized by the Act to issue revenue bonds for the purpose of providing funds to pay the costs of certain projects required or useful for health care purposes; and

WHEREAS, Roanoke Memorial Hospitals ("RMH") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Roanoke, Virginia; and

WHEREAS, Community Hospital of Roanoke Valley ("CHRV") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Roanoke, Virginia; and

WHEREAS, Bedford County Memorial Hospital, Incorporated ("BCMh") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Bedford, Virginia; and

WHEREAS, The Radford Community Hospital, Incorporated ("RCH") is a private nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates a health care facility located in the City of Radford, Virginia; and

WHEREAS, Giles Memorial Hospital, Incorporated ("GMH") is a private nonstock corporation duly incorporated and validly existing under and by Virtue of the laws of the Commonwealth of

Virginia, which owns and operates a health care facility located in the Town of Pearisburg, Giles County, Virginia; and

WHEREAS, the Roanoke Authority has by resolution adopted December 18, 1992 (the "Inducement Resolution") and by the Roanoke Authority Resolution referred to below evidenced its desire to issue its revenue bonds for the following purposes: (I) (a) financing for RMH a portion of the costs of (i) renovating certain portions of the RMH hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the RMH hospital facilities (the "RMH Project"), (b) financing for CHRV a portion of the costs of (i) renovating certain portions of the CHRV hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the CHRV hospital facilities (the "CHRV Project"), (c) financing for GMH a portion of the costs of (i) expanding and renovating the emergency room, (ii) renovating certain other portions of the GMH hospital facilities, and (iii) acquiring certain capital equipment for use in or in connection with the GMH hospital facilities (the "GMH Project"), (d) financing for BCMH a portion of the

costs of (i) renovating certain portions of the BCMH hospital facilities, and (ii) acquiring certain capital equipment for use in or in connection with the BCMH hospital facilities (the "BCMh Project"), and (e) financing for RCH a portion of the costs of (i) expanding and renovating the emergency room, radiology and admission area, (ii) renovating certain other portions of the RCH hospital facilities, and (iii) acquiring certain capital equipment for use in or in connection with the RCH hospital facilities (the "RCH Project") (the RMH Project, the CHRV Project, the GMH Project, the BCMH Project and the RCH Project are hereinafter collectively referred to as the "Project"); and (II)(a) refunding certain bonds previously issued on December 11, 1985 by the Authority for the benefit of RMH the proceeds of which were used to finance or refinance the acquisition and installation of certain fixtures, furniture, machinery and equipment for use in the RMH hospital facilities and to refund certain other bonds of the Authority issued on August 31, 1988 for the benefit of RMH; (b) refunding certain bonds previously issued on July 21, 1989 by the Industrial Development Authority of the City of Bedford, Virginia for the benefit of BCMH the proceeds of which were used to finance the renovation of certain portions of the BCMH hospital facilities and the acquisition of certain capital equipment for use in the BCMH hospital facilities and to refund certain other existing indebtedness of BCMH the proceeds of which were used to construct, renovate and equip the BCMH hospital facilities, (c) refunding certain bonds previously issued on July 21, 1989 by the Industrial Development Authority of the City of Bedford, Virginia for the benefit of GMH the proceeds of which were used to finance or refinance renovations to the GMH hospital facilities and the acquisition of certain capital equipment for use in the GMH hospital facilities and to refund certain other

existing indebtedness of GMH the proceeds of which were used to renovate, expand and equip the GMH hospital facilities, (d) refunding certain bonds previously issued on September 13, 1990 by the Industrial Development Authority of the City of Radford for the benefit of RCH the proceeds of which were used to finance the acquisition, expansion, renovation and equipping of certain portions of the RCH hospital facilities, expanding and equipping a building at 707 Randolph Street which building is used as office space for RCH and physicians, and to refund certain other existing indebtedness of RCH the proceeds of which were used to finance the construction, renovation and equipping of certain portions of the RCH hospital facilities; (e) refunding certain bonds previously issued on July 12, 1984 by the Industrial Development Authority of Giles County, Virginia for the benefit of GMH the proceeds of which were used to finance or refinance the acquisition of certain capital equipment for use in the GMH hospital facilities, and (f) refinancing a certain taxable loan dated October 22, 1990 to GMH from Dominion Bank, National Association the proceeds of which were used to finance or refinance the acquisition of certain capital equipment for use in the GMH hospital facilities (the above-described bonds and loan to be refunded are hereinafter collectively referred to as the "Prior Bonds"); and

WHEREAS, the Roanoke Authority has by resolution adopted January 29, 1992 (the "Roanoke Authority Resolution") authorized the issuance of not to exceed \$60,000,000 aggregate principal amount of the Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Roanoke Memorial Hospitals, Community Hospital of Roanoke Valley, Bedford County Memorial Hospital, Giles Memorial Hospital and Radford Community Hospital Project) Series 1992 (the "Bonds") for the purpose of (i) financing a portion of the costs of the Project, (ii) refunding the Prior Bonds, (iii) paying a portion of the interest accruing on the Bonds during the acquisition and renovation of the Project, and (iv) paying certain expenses incurred in connection with the authorization and issuance of the Bonds; and

WHEREAS, the City Council of the City of Bedford, Virginia (the "Council") must first approve the issuance of the Bonds by the Roanoke Authority before BCMH can participate in the financing; and

WHEREAS, the Roanoke Authority has delivered or caused to be delivered to the Council the following: (i) a reasonably detailed summary of the comments expressed at the public hearing held by the Roanoke Authority in connection with the issuance of the Bonds, (ii) a fiscal impact statement concerning the Project and the Bonds in the form specified in Section 15.1-1378.2 of the Act, (iii) a copy of the Inducement Resolution, and (iv) a copy of the Roanoke Authority Resolution, which constitutes the recommendation of the Roanoke Authority that the Council approve the financing of the Project, the refunding of the Prior Bonds and the issuance of the Bonds; and

WHEREAS, the Council has determined that it is necessary at this time to approve the issuance by the Roanoke Authority of not to exceed \$60,000,000 aggregate principal amount of the Bonds to promote the improvement of health and living conditions of the people of the City of Bedford and the Commonwealth of Virginia, increase opportunities for gainful employment, improve health care and otherwise aid in improving the prosperity and welfare of said City and Commonwealth and its inhabitants by improving the hospital facilities of RMH, CHRV, BCMH, RCH and GMH, respectively;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Bedford, Virginia:

Section 1. The Council hereby (a) authorizes the issuance by the Roanoke Authority of not to exceed \$60,000,000 aggregate principal amount of the Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Roanoke Memorial Hospitals, Community Hospital of Roanoke Valley, Bedford County Memorial Hospital, Giles Memorial Hospital and Radford Community Hospital Project) Series 1992 for the purpose of (i) financing a portion of the costs of the Project, (ii) refunding the Prior Bonds, (iii) paying a portion of the interest accruing on the Bonds during the acquisition and renovation of the Project, and (iv) paying certain expenses incurred in connection with the authorization and issuance of the Bonds, and (b) concurs with the adoption of the Inducement Resolution and the Roanoke Authority Resolution.

Section 2. The Mayor or the Vice Mayor, the Clerk or any Deputy Clerk of the Council are hereby authorized and directed, on behalf of the Council to take any and all action necessary, including the execution of any documents, to consummate the sale of the Bonds in conformity with the provisions of this resolution.

Section 3. This Resolution shall take effect immediately upon its passage.

The Clerk of Council read aloud the following proposed ordinance:

ORDINANCE TO AMEND AND REENACT SECTION 2.3 OF THE CITY CODE IN ORDER TO PROVIDE FOR CANCELLATION OF REGULAR MEETINGS WHEN SUCH MEETINGS FALL ON HOLIDAYS OR WHEN THERE IS NO BUSINESS SCHEDULED AND PROVIDING FOR SPECIAL MEETINGS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEDFORD:

Section 1.

Section 2-3 of the City Code is amended and reenacted to read as follows:

Sec. 2-3 Meetings of City Council.

A. The regular meetings of the City Council shall be held at the Council Hall in the Municipal Building on the 2nd and 4th Tuesday of each month at the hour of 7:30 o'clock p.m.

B. The Mayor or any three members of the City Council may call special meetings of the council, at any time, after written notice of at least six hours, with the purpose of the meeting stated therein, served personally on each member of the council and the Mayor, or left at his usual place of business or residence if he not be found with due diligence, or such meeting may be held at any time, without any service or notice, provided all members of the council attend. No business other than that mentioned in the call shall be considered at such special meeting unless all members of council are present.

C. If a regular meeting falls on a legal holiday or if the Mayor determines that there is insufficient business on the agenda to require a meeting, then the Mayor is authorized to cancel the meeting after giving a written notice of such cancellation to each councilman no later than seven (7) hours before the scheduled meeting. The Mayor's authority to cancel meetings shall apply only to regular meetings.

Section 2. This ordinance shall become effective immediately upon passage.

Councilwoman Grahame moved that the ordinance be adopted as read. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilman Otey aye

Vice Mayor Owen aye

Councilman Rice aye

Councilman Vest aye

Councilman Brookshier aye

Councilwoman Grahame aye

Mayor Shelton aye

The City Manager stated that Council has received a memorandum from the Chief of Police requesting the closing of Bedford Avenue between Mountain and Ashland from 9:00 a.m. to 2:00 p.m. on April 23, 1992, for the D.A.R.E. Day activities being held that day at the County Recreation Field. He stated that the Fire Department, the Lifesaving Crew and the Elks National Home have been notified and have no objections to the closing of this street.

Councilman Brookshier moved that Council approve the closing of Bedford Avenue between Mountain and Ashland from 9:00 a.m. to 2:00 p.m. on April 23, 1992. The motion was seconded by Councilman Rice, voted upon and carried.

On motion by Councilman Brookshier, seconded by Councilman Otey, voted upon and carried unanimously by a roll call vote, Council adjourned into executive session pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(1), personnel, dealing with the discussion of personnel matters of the City school system; and pursuant to Section 2.1-344(a)(7) concerning consultation with legal counsel regarding the Carriage Hill Annexation Suit. Roll call vote follows:

Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Mayor Shelton	aye

Council adjourned into executive session at 9:15 p.m., after a five minute recess. Non-council members attending: City Attorney Berry. Members of the City School Board attended only the personnel portion of the executive session. City Manager Gross and Clerk of the Council Hatcher attended only the portion of the executive session concerning the Carriage Hill Annexation Suit.

Council reconvened into open session at 10:25 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilwoman Grahame moved that the resolution be adopted. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

Councilman Rice	aye
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Councilman Vest	aye	
Councilman Brookshier	aye	
Councilwoman Grahame	aye	
Councilman Otey	aye	
Vice Mayor Owen	aye	
Mayor Shelton		aye

Mayor Shelton adjourned the meeting at 10:26 p.m.